

UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF WASHINGTON
AT SEATTLE

MARLIN GIOVANNI PICKENS,

Plaintiff,

v.

VIRGINA MASON FRANCISCAN
HEALTH SAINT JOSEPH MEDICAL
CENTER, et al.,

Defendants.

Case No. C22-5019RSM

ORDER GRANTING MOTION TO
AMEND ANSWER

This matter comes before the Court on Defendant Allister GC Stone's Motion to File an Amended Answer, Dkt. #46. No party has filed a timely opposition to this Motion.

A "court should freely give leave [to amend] when justice so requires," Fed. R. Civ. P. 15(a)(2). Courts apply this policy with "extreme liberality." *Eminence Capital, LLC v. Aspeon, Inc.*, 316 F.3d 1048, 1051 (9th Cir. 2003). Five factors are commonly used to assess the propriety of granting leave to amend: (1) bad faith, (2) undue delay, (3) prejudice to the opposing party, (4) futility of amendment, and (5) whether the party has previously amended the pleading. *Allen v. City of Beverly Hills*, 911 F.2d 367, 373 (9th Cir. 1990); *Foman v. Davis*, 371 U.S. 178, 182 (1962). In conducting this five-factor analysis, the court must grant all

1 inferences in favor of allowing amendment. *Griggs v. Pace Am. Group, Inc.*, 170 F.3d 877,
2 880 (9th Cir. 1999).

3 Defendant seeks to amend its Answer due to developments in discovery. There is no
4 indication of undue delay, bad faith, prejudice, or futility in this amendment. This is
5 Defendant's first motion to file an amended pleading.
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7 Having considered the briefing from Plaintiff and the remainder of the record, the Court
8 hereby FINDS and ORDERS that Defendant Allister GC Stone's Motion to File an Amended
9 Answer, Dkt. #46, is GRANTED. Defendant is directed to immediately file the Amended
10 Answer attached to its Motion.
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12 DATED this 12th day of August, 2022.

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15 RICARDO S. MARTINEZ
16 CHIEF UNITED STATES DISTRICT JUDGE
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